

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|                       |   |                         |
|-----------------------|---|-------------------------|
| IN RE:                | : |                         |
| ANTHONY CAPASSO, JR., | : | CHAPTER 7               |
|                       | : |                         |
|                       | : |                         |
| Debtors               | : | CASE NO. 5-19-02032-RNO |

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**CHAPTER 7 TRUSTEE’S OBJECTION TO DEBTOR’S REQUEST FOR DISMISSAL  
OF CHAPTER 7 BANKRUPTCY CASE**

**AND NOW COMES**, John J. Martin, Chapter 7 Trustee, by and through his counsel, John J. Martin, Esquire, and files this Objection to Debtor’s Request for Dismissal of Chapter 7 Bankruptcy Case as follows:

1. That the above-referenced Debtor filed a voluntary Chapter 7 Bankruptcy case to the above-referenced number on or about May 10, 2019.
2. That on or about May 10, 2019, John J. Martin was appointed Chapter 7 Trustee and remains in that capacity as of this date.
3. That Debtor has failed to appear at two (2) previously scheduled Section 341 Meetings of Creditors, denying the Chapter 7 Trustee the opportunity to question the Debtor regarding assets, liabilities, income, and expenses. Further, Federal Bankruptcy Rule 4002(a)(1) states that the Debtor must attend the meetings as ordered by the Court.
4. That Debtor has failed to file the required schedules and statement of financial affairs, and in fact, on or about August 29, 2019, the Court entered an Order directing Debtor to file certain schedules in his bankruptcy case, and Debtor has failed to do so.
5. That the failure to file these schedules severely prejudices the Chapter 7 Trustee from making a determination as to assets which may or may not benefit creditors of the bankruptcy estate.
6. That on or about August 29, 2019, at a hearing before this Court regarding Debtor’s request to dismiss his case, it was disclosed that Debtor may be the owner of real property for which there is non-exempt equity. Further, the refusal to file complete schedules and/or appear at his scheduled 341 Meeting of Creditors prejudices creditors of the bankruptcy

estate.

7. That the Chapter 7 Trustee believes and avers that the Debtor's request to dismiss his bankruptcy case is an attempt to possibly conceal assets of the bankruptcy estate which may be administered for the benefit of the estate's creditors.

**WHEREFORE**, the Chapter 7 Trustee, respectfully requests this honorable Court deny the Request for Dismissal of Debtor's Chapter 7 Bankruptcy Case, and for such other and further relief as the Court finds just and proper.

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
John J. Martin, Esquire  
1022 Court Street  
Honesdale, PA 18431  
Counsel for Chapter 7 Trustee  
(570)253-6899  
jmartin@martin-law.net